

*To the Honorable, the Convention of Maryland :*

The memorial of the United States of America, the State of Virginia, the City of Washington, the City of Georgetown, and the City of Alexandria, respectfully represents :

That your memorialists are original subscribers to the stock of the Chesapeake and Ohio Canal Company, to the amount of two millions seven hundred and fifty thousand dollars.

That when the Legislature of Maryland, at its December session, 1844, passed an act for the completion of the Chesapeake and Ohio Canal, whereby she postponed all the liens and mortgages of the said State, in favor of such persons as would lend the said Canal Company, upon its bonds, the sum of seventeen hundred thousand dollars, to complete the Canal to Cumberland, your memorialists, as stockholders in the Canal Company, assented to, and accepted the act, and the same became, by their acceptance of full effect and operation ; and it was the intention of the Canal Company by accepting said act, and by executing to the holders of the bonds, a mortgage of all the tolls and revenues of the Canal, to give to them a mortgage sufficient in point of value, and available in point of law, for their security and indemnification.

And your memorialists further beg leave to represent that by the said act and mortgage, it was agreed and understood that the Canal Company should retain the management of the Canal and its works, and collect and receive the tolls and revenues, so long as it should pay the interest upon said bonds and provide a sinking fund for the redemption of the principal thereof, but that if the said Company should fail to comply with these conditions, from any cause, except a deficiency of revenue arising from a failure of business without fault on the part of the Company, such default to be made to appear by the bondholders, then the bondholders might demand and thereupon receive possession of, and appropriate the tolls and revenues of the Company for the payment of the interest and the raising of the sinking fund.

And your memorialists beg leave to state that ever since the execution of the said mortgage, there has been such a deficiency of revenue, that no part of the interest upon the bonds has been paid since the first of January, 1852, and the arrears of interest unpaid, amount nearly to the principal of the bonds.

Your memorialists are not called upon, and do not feel competent, to decide how far the Company in which they are stockholders, have committed such fault as to entitle the bondholders to enter into possession of the Canal and appropriate its tolls and revenues ; but your memorialists having